REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-8 are currently pending in this application and Claims 1-8 are amended. The amendments to the claims are cosmetic in nature, as these changes have simply been in a manner of form. Thus, it is respectfully submitted that the scope of these claims has not been narrowed.[1]

In the outstanding Office Action, Claims 1-8 were rejected under 35 U.S.C. §102(e) as anticipated by Geiger et al. (U.S. Patent No. 6,463,534, hereinafter Geiger).

Applicants acknowledge with appreciation the personal interview between the Examiner, her Supervisor, and Applicants' representatives on November 16, 2004. During the interview, the proposed amendment to Claim 1 was discussed and the Examiners acknowledged that the proposed amendment to Claim 1 appeared to overcome the current rejection based on art. The current amendment to Claim 1 is the proposed amendment discussed during the personal interview. During the interview, the Examiners suggested that "automatism unit" be clarified. In addition, we respectfully request that the Information Disclosure Statement filed on April 2, 2001 be considered in its entirety. Specifically, the reference on line AW was not considered on the record.

With respect to the meaning of "automatism unit," the Specification, at page 4 line 28 to page 5 line 2, states that automatism unit refers to an automaton, a numerical control, a monitoring/control station, but that it also may include any piece of automatism equipment or module having at least one processing unit and is capable of executing a program for providing one or several automatism functions.

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[1] This comment is made in view of the recent Festo decision, which may limit the availability of the doctrine of equivalents, for narrowing amendments for patentability reasons.

Briefly recapitulating, Amended Claim 1 is directed toward a WAP based system for accessing a programmable automatism unit by a standalone communicating mobile device. The standalone communicating mobile device includes a WAP based navigator. The automatism unit includes a piece of automatism equipment. The WAP based system includes a web server that is embedded in the programmable automatism unit. The web server is equipped to generate static or dynamic WML coded data. The static or dynamic WML coded data includes data relating to monitoring, viewing and controlling the automatism unit. A network interface is connected to the web server by a network. The network interface is configured to authorize access to the static or dynamic WML coded data from a WAP based navigator of the standalone communicating mobile device through a wireless network. The WAP based navigator is enabled to access functions for monitoring, viewing and controlling the automatism unit. This configuration enables, for example, maintenance work to be performed on an automatism unit from a remote location.[2]

Geiger does not disclose a system for accessing a programmable automatism unit. Rather, Geiger discloses a secure wireless electronic-commerce system.[3] Geiger discloses a system in which consumers can purchase, download and install software into a wireless device.[4] Fig. 1 of Geiger illustrates how a landline telephone 12 or a computer 13 can be used to input an order to the secure electronic commerce system 10 at web server 16.[5] Servers 15, 17 and 18 create and distribute public keys, make software available for download to the mobile device and translate HTML into WML syntax respectively.[6] Geiger discloses a German/English translator as an example of the software that can be downloaded to the mobile device.[7]

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[2] Specification, page 3, lines 2-7.
[3] Geiger, Abstract, lines 1-2.
[4] Geiger, Abstract, lines 13-16.
[5] Geiger, col. 2, lines 61-65.
[6] Geiger, col. 3, lines 9-12 and 42-51.
[7] Geiger, col. 7, lines 34-50.

With respect to the rejection of Claim 1, Applicants respectively submit that <u>Geiger</u> fails to disclose all the elements of Claim 1. Claim 1 recites "…a Web server, embedded in the programmable automatism unit…." Indeed, <u>Geiger</u> does not disclose a web server embedded in a piece a programmable automatism unit.

On the contrary, <u>Geiger</u> discloses web servers 15-18 as being part of a secure electronic commerce infrastructure.[8] <u>Geiger</u> does not disclose that servers 15-18 are embedded in any type of automatism unit.

Claim 1 also recites "…a network interface connected to the Web server by a network and configured to authorize access to said static or dynamic WML coded data from the WAP based navigator of the standalone communicating mobile device…." Indeed, <u>Geiger</u> discloses neither a network interface connected to a web server by a network and configured to authorize access to static or dynamic WML coded data, nor does it disclose a WAP based navigator being part of a standalone communicating mobile device.

On the contrary, <u>Geiger</u> discloses that web server 16 verifies the user's information and determines if the commercial transaction will continue.[9] Web servers 16 and 18 are connected to PSTN and wireless network 19 respectively.[10] PSTN connects web server 16 to either a computer 13 or a landline telephone 12.[11] The wireless network 19 connects a web server 18 to a mobile device.[12] The computer 13, the landline telephone 12 and the mobile device are not a "network interface configured to authorize access to said static or dynamic WML coded data." The computer 13, the landline telephone 12 or the mobile device are receiving access and not granting it.

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[8] <u>Geiger</u>, Fig. 1.
[9] <u>Geiger</u>, col. 3, lines 33-34.
[10] <u>Gieger</u>, Fig. 1.
[11] <u>Id</u>.
[12] <u>Id</u>.

Furthermore, <u>Geiger</u> does not disclose "said standalone communicating mobile device including a WAP based navigator," as is recited in Claim 1. <u>Geiger</u> does not disclose the internal workings of wireless device 11.

Amended Claim 1 also recites "...such that the WAP based navigator is enabled to access functions for monitoring, viewing and controlling of the automatism unit." Indeed, <u>Geiger</u> does not disclose monitoring, viewing and controlling an automatism unit.

On the contrary, <u>Geiger</u> discloses an electronic commerce system that downloads information into a mobile device. Servers 15-18 control the downloading process.[13] Wireless device 11 is not disclosed as monitoring, viewing or controlling servers 15-18.

In view of the above noted distinctions, Applicants respectfully submit that Claim 1 (and its dependent Claims 2-7) patentably distinguish over <u>Geiger</u>.

Claim 8 is similar to Claim 1. Applicants respectfully submit that Claim 8 patentably distinguishes over <u>Geiger</u> for at least the reasons given for Claim 1.

Consequently, in view of the above amendments and comments, it is respectfully submitted that the outstanding rejection is traversed and that the pending claims are in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Gregory J. Maier
Registration No. 25,599

Michael E. Monaco
Registration No. 52,041

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)
GJM/MEM/JW/agm
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[13] <u>Id.</u>